

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

RONALD JORDAN, et al.,

Plaintiffs,

vs.

JOSEPH C. CARTER, et al.,

Defendants.

Civil Action No. 04-CV-10927-RGS

**DEFENDANTS' ASSENTED-TO MOTION TO CHANGE DATE OF HEARING
ON SUMMARY JUDGMENT**

Defendants Joseph C. Carter and the MBTA Police Department respectfully request that the Court reschedule the hearing on defendants' motion for summary judgment, currently scheduled for April 13, 2007. The undersigned counsel has a longstanding business commitment on that date that requires travel out of state on April 12-13, 2007.

Plaintiffs' counsel has assented to a change in the date of the argument. In an effort to avoid delay in the resolution of the matter from this scheduling conflict, counsel have compared schedules for dates sooner than April 13 and, to the extent that the dates are convenient for the Court, counsel for all parties are available on March 22, 2007 or April 9, 2007.

WHEREFORE, defendants respectfully request that the motion be granted, and that the argument on defendants' motion for summary judgment be rescheduled for March 22, 2007, April 9, 2007, or such other date as may be available.

Respectfully submitted,

JOSEPH C. CARTER
MBTA POLICE DEPARTMENT

By their attorneys,

/s/Mark W. Batten
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Date: February 8, 2007

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party to this action by the Court's electronic filing system this 8th of February, 2007.

/s/Mark W. Batten
Mark W. Batten